

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JAYLA ALLEN, DAMON JOHNSON,
JOSHUA MUHAMMAD, RAUL SANCHEZ,
and TREASURE SMITH,

Plaintiffs,

v.

Civil Case No. 4:18-cv-3985

WALLER COUNTY, TEXAS; THE WALLER
COUNTY COMMISSIONERS COURT;
JUDGE CARBETT “TREY” J. DUHON III, in
his official capacity as the Waller County Judge;
and CHRISTY A. EASON, in her official
capacity as the Waller County Elections
Administrator,

Defendants.

[PROPOSED] TEMPORARY RESTRAINING ORDER

The Court has considered the emergency motion for a temporary restraining order, filed on October 24, 2018, by Plaintiffs Jayla Allen, Damon Johnson, Joshua Muhammad, Raul Sanchez, and Treasure Smith, (collectively, “Plaintiffs”), against Defendants Waller County, Texas; the Waller County Commissioners Court; Judge Carbett J. Duhon III; and Christy A. Eason (collectively, “Defendants”).

For the reasons set forth in Plaintiffs’ Memorandum of Law in Support of Plaintiffs’ Emergency Motion for a Temporary Restraining Order, the Court hereby GRANTS

Plaintiffs' Emergency Motion for a Temporary Restraining Order and FINDS and ORDERS as follows:

Plaintiffs have a substantial likelihood of succeeding on the merits of their claims. If the emergency relief requested by Plaintiffs is not granted, Plaintiffs will suffer imminent and irreparable harm to their statutory and constitutional rights to vote free from discrimination based on race or age. The threatened injury if the temporary restraining order is denied outweighs any harm that would result from its issuance. The grant of a temporary restraining order will serve the public interest.

This Order supplements Waller County's early voting schedule of September 22, 2018 for the 2018 general election, and overrides that schedule to the extent of any conflict, by extending early voting at the Memorial Student Center at Prairie View A&M University ("PVAMU") and the Waller County Community Center ("Community Center") or the City Hall in Prairie View.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants, together with their agents, servants, employees, attorneys, and those persons in active concert or participation with them, are *compelled* to extend the days and hours of early voting for the 2018 general election in Waller County according to the schedules described in Parts I and II below, and to provide written notice of the early voting hours herein ordered as described in Part III below.

- I. At the Memorial Student Center on the PVAMU campus, provide the following days and hours of early voting:

(a) Thursday, October 25, and Friday, October 26, from 7:00 a.m. to 7:00 p.m.;
and

(b) Monday, October 29, through Friday, November 2, from 7:00 a.m. to
7:00 p.m.

II. At the Community Center or the City Hall in Prairie View, provide the following
days and hours of early voting:

(a) Saturday, October 27, from 9:00 a.m. to 2:00 p.m.;

(b) Sunday, October 28, from 12:00 p.m. to 5:00 p.m.; and

(c) Monday, October 29, through Friday, November 2, from 7:00 a.m. to
7:00 p.m.

III. Provide written notice of the early voting hours herein ordered for the 2018
general election to the following parties:

(a) The University President of PVAMU;

(b) The President of the PVAMU Student Government Association;

(c) The Mayor and City Council of the City of Prairie View; and

(d) An appropriate representative of each church located in Prairie View.

The Clerk of this Court shall issue notice to Defendants that Plaintiffs' request for
a preliminary injunction is set for hearing and Defendants shall appear on
_____, 2018, at _____ a.m./p.m.

The Clerk of this Court shall issue a Temporary Restraining Order in conformity
with the law and according to the terms herein ordered.

This Order shall not be effective unless and until Plaintiffs execute and file with the

Clerk of this Court a bond in the amount of \$_____.

This order will expire at the end of fourteen (14) days from the time and date of its issuance by the Clerk of this Court.

SIGNED on _____, 2018 at _____ a.m./p.m.

The Honorable Andrew S. Hanen
United States District Judge